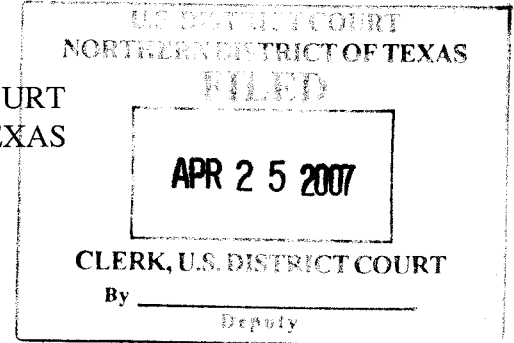


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JOSE EFRAN PIZANA,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:07-CV-0030

ORDER ADOPTING REPORT AND RECOMMENDATION
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

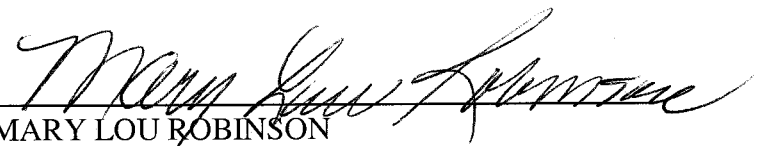
Petitioner JOSE EFRAN PIZANA, a state inmate confined in the Dalhart Unit for a Hale County conviction, has filed a petition for a federal writ of habeas corpus challenging either the revocation of a probated sentence, his June 3, 2004 driving while intoxicated conviction and the resultant 6-year sentence, and/or a deportation order. On April 6, 2007, the Magistrate Judge entered a Report and Recommendation in this cause finding petitioner had failed to follow a direct order of the Court and had neglected his case to such an extent that it warranted dismissal. The Magistrate Judge recommended petitioner's habeas application be dismissed for failure to pay the requisite filing fee in this case or, alternatively, for want of prosecution due to petitioner's failure to comply with a direct order of the Court.

Based upon an independent examination of the record in this case, the District Judge is of the opinion that the Magistrate Judge's Report and Recommendation should be, and hereby is,

ADOPTED. The petition for a writ of habeas corpus filed by petitioner JOSE EFRAN PIZANA is DISMISSED for failure to pay the required filing fee.

IT IS SO ORDERED.

ENTERED this 25th day of April 2007.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE